

**ASSEMBLY BILL**

**No. 1130**

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**Introduced by Assembly Member Solorio**

February 27, 2009

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An act to amend Section 52052.5 of the Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1130, as introduced, Solorio. Academic performance.

Existing law requires the Superintendent of Public Instruction to establish an advisory committee to make recommendations by July 1, 2005, on a methodology for generating a measurement of academic performance by utilizing unique pupil identifiers for pupils and annual academic achievement growth to provide a more accurate measure of a school's growth over time. Existing law also requires, if appropriate and feasible, the Superintendent, with the approval of the state board, to implement this measurement of academic performance.

This bill would state findings and declarations regarding standards-based education reform, assessments, and accountability and the use of cohort growth measures in accountability systems and intervention determinations.

This bill would remove provisions limiting the responsibility of the board to make recommendations regarding measurement of academic performance to completion on or before July 1, 2005. The bill would require the committee's recommendations to be on a methodology for generating a measurement of academic performance by using annual academic achievement growth by cohort. The bill would require the advisory committee to make these recommendations to the Superintendent and to the state board.

This bill would state the intent of the Legislature that the committee take into consideration specified recommendations and consider measures already in use by other states. The bill would also require the measure of academic performance approved by the board, if appropriate and feasible, to meet specified requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. The Legislature hereby finds and declares all of  
2     the following:

3     (a) California began the 21st Century among a small group of  
4     states that lead the nation in standards-based education reform,  
5     assessments, and accountability. However, other states have now  
6     surpassed California, particularly with the use of cohort growth  
7     measures in accountability systems and intervention  
8     determinations.

9     (b) California's current public school accountability system is  
10    based on a static model that compares snapshots of individual  
11    school and school district academic performance by grade level.  
12    Therefore, determinations of whether or not schools have met  
13    growth targets are calculated by comparing the difference in  
14    achievement from one year to the next of different cohorts of  
15    pupils.

16    (c) This accountability system fails to adjust for the fact that  
17    beginning levels of achievement vary each school year among  
18    cohorts. As a result, schools and school districts, particularly with  
19    middle grades and at the secondary level, are often unfairly held  
20    accountable for the low performance of the school the pupils  
21    previously attended.

22    (d) The limitations of a static model make it difficult for  
23    California's accountability system to provide meaningful, reliable,  
24    and valid longitudinal information to parents, educators, and policy  
25    makers on whether or not local schools and school districts are  
26    improving at a rate that will achieve success for all of California's  
27    pupils within a reasonable period of time.

28    (e) A cohort growth measure incorporated into California's  
29    public school accountability system will enable the state to more  
30    fairly evaluate the academic achievement of California public

1 schools and school districts, and to hold them accountable for  
2 results.

3 (f) At the school and school district level, measuring each  
4 cohort's academic growth over time will provide better information  
5 to assist educators in identifying pupils who need additional  
6 assistance and identify where resources can best be targeted to  
7 close achievement gaps.

8 (g) Parents, educators, and community leaders will be best  
9 served by a public school accountability system that includes a  
10 cohort growth measure that provides consistent, reliable, and valid  
11 information as they collaborate to meet the needs of all pupils,  
12 each year.

13 SEC. 2. Section 52052.5 of the Education Code is amended to  
14 read:

15 52052.5. (a) ~~The Superintendent of Public Instruction shall~~  
16 establish a broadly representative and diverse advisory committee  
17 to advise the Superintendent of Public Instruction and the State  
18 ~~Board of Education~~ *state board* on all appropriate matters relative  
19 to the creation of the Academic Performance Index and the  
20 implementation of the Immediate Intervention/Underperforming  
21 Schools Program and the High Achieving/Improving Schools  
22 Program. Members of the advisory committee shall serve without  
23 compensation for terms not to exceed two years. ~~The State~~  
24 ~~Department of Education~~ *department* shall provide staff to the  
25 advisory panel.

26 (b) ~~By July 1, 2005, the~~ *The* advisory committee established  
27 pursuant to this section shall make recommendations to the  
28 ~~Superintendent of Public Instruction and the state board~~ on the  
29 appropriateness and feasibility of a methodology for generating a  
30 measurement of academic performance by utilizing unique pupil  
31 identifiers for pupils in kindergarten and any of grades 1 to 12,  
32 inclusive, and annual academic achievement growth *by cohort* to  
33 provide a more accurate measure of a school's *and district's* growth  
34 over time. ~~If~~

35 (c) *It is the intent of the Legislature that, in conducting its*  
36 *responsibilities pursuant to subdivision (b), the committee take*  
37 *into consideration the recommendations of the California pilot*  
38 *study conducted pursuant to Provision 10 of Item 6110-113-0890*  
39 *of the Budget Act of 2007, the statutory and regulatory*  
40 *requirements and related guidance pursuant to the federal*

1 *Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec.*  
2 *6301 et seq.), and waivers for cohort growth measures approved*  
3 *for other states by the United States Secretary of Education.*

4 *(d) It is the intent of the Legislature that the committee also*  
5 *consider measures already in use by other states to facilitate the*  
6 *identification of various performance levels of cohort growth,*  
7 *including, but not limited to, whether each student, subgroup,*  
8 *school, and school district made at least one year's academic*  
9 *growth in one year's time and whether the amount of academic*  
10 *growth is adequate to reach a performance level of proficient*  
11 *within a timeframe specified in the state's approved accountability*  
12 *plan required pursuant to the federal Elementary and Secondary*  
13 *Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.), and to provide*  
14 *the ability to determine the following with reasonable statistical*  
15 *confidence:*

16 *(1) High achievement with a growth rate indicating ability to*  
17 *remain at proficiency or to move into the highest range of*  
18 *achievement.*

19 *(2) High achievement with a growth rate indicating ability to*  
20 *remain at least at proficiency.*

21 *(3) Low achievement with a growth rate indicating ability to*  
22 *reach proficiency within a specified timeframe.*

23 *(4) Low achievement with a growth rate indicating significant*  
24 *inability to reach proficiency within a specified timeframe.*

25 *(e) If appropriate and feasible, the Superintendent of Public*  
26 *Instruction, with the approval of the State Board of Education state*  
27 *board, shall thereafter implement this the measurement of academic*  
28 *performance recommended by the advisory committee.*

29 *(f) The measure of academic performance approved by the state*  
30 *board pursuant to subdivision (e) or adopted through a state plan*  
31 *approved by the state board acting as the State Educational Agency*  
32 *pursuant to any provision, or waiver of, the federal Elementary*  
33 *and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et*  
34 *seq.), or any other plan submitted by the state board or the state*  
35 *as a requirement of receiving or allocating federal funds shall:*

36 *(1) Utilize a growth model in the public domain that is not*  
37 *proprietary.*

38 *(2) Be able to be replicated by an independent statistician.*

39 *(3) Be fully and accurately explained, including the generation*  
40 *of all results, the specification of the standard error, and the*

- 1 *stringency of the confidence interval used to determine whether*
- 2 *the annual change in test scores is statistically significant, in a*
- 3 *document available to the public.*

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